

SUB B
A
media source can be coupled thereto.--

-35. A method of editing play lists based on a media inventory stored on a common data base comprising:

creating a prestored data base of at least audibly presentable media items;

presenting visually at least a part of a pre-established play list based on some of the media items simultaneously while presenting visually, at least in part, a list of media items from the data base;

editing the play list by selecting at least one media item from the inventory list and incorporating it into the play list thereby forming an edited play list...
1

-36. A method as in claim 35 which includes displaying a plurality of selectable, named play lists.--

8 -37. A method as in claim 36 including presenting a selected list by retrieving at least some of the entries in the list from the data base.--

R E M A R K S

Re-examination and reconsideration are hereby requested. In this Amendment, the rejected claims have been canceled and new claims have been added to more clearly specify the present invention. For the following reasons, the pending claims are allowable over the cited prior art as well as that submitted by Applicants in an Information Disclosure Statement filed by Express Mail June 1, 1998 (before mailing of the First Office Action). It is requested that the prior art of the Disclosure Statement be made of record relative to this application.

A system that embodies Applicants' invention includes a graphical play list creating and editing capability that enables a user to simultaneously view inventory entries, such as songs or video tapes, wherein these items are stored in a data base, and a selected or named play list. The play list can be selected from a plurality of such lists stored in the data base.

The inventory entries can be the names of audio, songs, stored in the data base off of audio tapes, CDs, cable, DVD or the like. The entries can include video off of video

tape or cable without limitation. The stored media entries are thus source independent.

As noted above, the play lists contain entries from the inventory of media stored in the data base. The user can select inventory items, from one part of the display, and move them into the particular list, on another part of the display. The modified list can be stored in the data base.

A user can then graphically display names of a plurality of pre-stored lists and select one for execution. The selected list can then be executed out of the prestored data base. When executed, audio will be presented as audio on speakers. Video will be presented on a display.

Applicants' system thus is independent of source. It uses a pre-built inventory stored in a data base. The user need not focus on destination. When executed, the inventory items, specified on the play list being executed, are transmitted to the appropriate output transducer for presentation.

Unlike the claimed invention, Hickey is nothing more than a software based combination of remote control units for output devices such as VCRs, CDs, and tape drives, video disk players and the like. As illustrated in Fig. 1 thereof, Hickey communicates with these output devices via IR transceiver antenna 16.

As explained by Hickey, his invention:

"is to provide an improved user-friendly computer-based audio-visual entertainment media control system which can be programmed to emulate a plurality of hand-held controllers, like a universal controller" (Col. 4, ll. 39-43).

"The present invention includes bi-directional IR control of the audio-visual system and anticipates that future versions of record-playback units will incorporate an IR Control-C transmit capability to output controller and media status, and media title/track information which can be directly utilized by the A-V system described herein.... The present invention solves and reduces the prior art disadvantages of the universal controller by using a smart, interactive software controlled

touch-screen display. This eliminates the need for an array of all possible control buttons since only those options relevant at any moment are displayed." (Col. 5, l. 67 - Col. 6, l. 29).

As made clear by Hickey's above description, his system merely provides remote control, in a single unit, of different types of output devices. Unlike the claimed apparatus, Hickey uses a screen, such as in Fig. 6a, for control of a CD, to list tracks on a CD to be played in a certain order. These commands are then sent to a CD player unit which in turn plays the respective track of a CD that is present in the player. This is the same process that takes place with a hand-held, CD remote control unit. The CD player is directed, remotely, to play identified tracks off of a pre-loaded CD.

Screens of Fig. 6a-6f clearly illustrate that Hickey is merely emulating remote control units. The screen, Fig. 6a, is used to control a CD player/recorder. A list of tracks, "Program Description (TRACK #####)", can be defined. This control sequence is then sent to the respective CD unit, via IR transmission, to cause that unit to play the selected tracks on that CD. similar comments apply to screens of Fig. 6b (cassette unit), Fig. 6c (VCR), Fig. 6d (TV) and Fig. 6e (AM/FM Tuner).

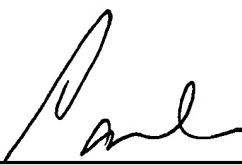
We also note that unlike the claimed apparatus and method, each of the noted screens is output device dependent. A cassette tape track identifying indicator (Fig. 6b) can not be combined with the list of Fig. 6a, a CD control screen. Clearly, and unlike the claimed apparatus and method, these limitations are imposed on Hickey because Hickey does not pre-store the audio or video elements in a common data base. Instead, Hickey's system plays designated tracks or sequences off of the respective CD, audio tape, video tape, or selected real-time broadcast signals through a radio or a TV tuner.

To the extent that Hickey discusses inventory, the screen of Fig. 7a enables a user to enter identifying information as to various CDs, track and the like. Unlike the present invention, Hickey merely allows entry of the control information that a remote control unit would use to cause a CD player to lay selected tracks or off of a pre-loaded CD. We also note, just as with Fig. 6a-6c, the screen of Fig. 7A is directed to one representative of a single media type.

For all of the above reasons, the application is in condition for allowance.
Allowance is respectfully requested.

Respectfully submitted,

BY



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